

THURSDAY, JANUARY 14, 1993

FIRST LEGISLATIVE DAY

In accordance with Article II, Section 8 of the Constitution of the State of Tennessee, and pursuant to House Joint Resolution No. 3, the House of Representatives of the Ninety-eighth General Assembly met in Regular Session at 9:30 a.m. and was called to order by Mr. Speaker Naifeh.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 96

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones, U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Halteman; personal reasons.

Representative R. Jones; person reasons.

RULES SUSPENDED

Rep. U. Jones moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 9 out of order, which motion prevailed.

House Joint Resolution No. 0009 -- Memorials, Death -- Joseph Boswell. by \*Miller, \*Jones U, \*Shirley, \*Haley, \*Hassell, \*Kernell, \*Joyce, \*Brooks, \*Williams K, Thompson, Turner L, DeBerry.

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On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. U. Jones, the resolution was adopted.

A motion to reconsider was tabled.

#### **RULES SUSPENDED**

Rep. U. Jones moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 10 out of order, which motion prevailed.

House Joint Resolution No. 0010 -- Memorials, Death -- James D. Hill, by \*Miller, \*Jones U, \*Shirley, \*Haley, \*Hassell, \*Kernell, \*Joyce, \*Brooks, \*Williams K.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. U. Jones, the resolution was adopted.

A motion to reconsider was tabled.

#### **RULES SUSPENDED**

Rep. Cole (Carter) moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 20 out of order, which motion prevailed.

Senate Joint Resolution No. 0020 -- Memorials, Public Service -- Richard F. Ellis, Director of WETS-FM in Johnson City.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Cole (Carter), the resolution was concurred in.

A motion to reconsider was tabled.

#### **RULES SUSPENDED**

Rep. Hargrove moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 22 out of order, which motion prevailed.

Senate Joint Resolution No. 0022 -- Memorials, Sports -- Coach Jim Ragland.

On motion, the rules were suspended for the immediate concurrence in the resolution.

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On motion of Rep. Hargrove, the resolution was concurred in.

A motion to reconsider was tabled.

#### CONSENT CALENDAR

House Joint Resolution No. 0005 -- Memorials, Professional Achievement -- Joseph Dawson, Distinguished Service Award from Tennessee Hospital Association.

Senate Joint Resolution No. 0005 -- Memorials, Public Service -- William (Bill) Carpenter.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	97
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones, U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

#### UNFINISHED BUSINESS

##### RULES SUSPENDED

Rep. Phillips moved to suspend Rule No. 50 (72-hour rule) so that all congratulatory and memorializing resolutions on the desk transmitted from the Senate today could be automatically placed on the consent calendar for Monday, February 1, 1993, which motion prevailed.

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**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their name(s) as sponsor(s) as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 15:** Rep(s). Liles and Mires as prime sponsor(s).

**ANNOUNCEMENTS**

Rep. Purcell announced that the tenth legislative day (cut-off) was on Thursday, February 18, 1993, if the General Assembly worked on Monday that week. He also announced that the Senate nine-bill limit cut-off was on Wednesday, February 3.

**INTRODUCTION OF RESOLUTIONS**

**RULES SUSPENDED**

Rep. Purcell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 7 out of order, which motion prevailed.

**House Joint Resolution No. 0007** -- General Assembly, Joint Convention -- Schedules joint convention on Thursday, February 4, 1993, at 10:00 a.m., for purpose of hearing state of state address. by \*Purcell, \*Bittle.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Purcell, the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Purcell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 8 out of order, which motion prevailed.

**House Joint Resolution No. 0008** -- General Assembly, Joint Convention -- Schedules joint convention on Wednesday, February 10, 1993, at 2:30 p.m., for purpose of hearing budget address. by \*Purcell, \*Bittle.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Purcell, the resolution was adopted.

A motion to reconsider was tabled.

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On motion of Rep. Purcell, the following resolutions, previously introduced and held on the Clerk's desk, were referred to standing committees as noted:

**\*House Joint Resolution No. 0001 -- Memorials, Government Officials -- Health and Human Resources Committee.**

**\*House Joint Resolution No. 0006 -- Memorials, Congress -- Judiciary Committee.**

**HOUSE BILL REFERRED**

On motion, bills listed below, previously having passed second consideration, were referred to the appropriate standing Committee as noted:

**\*House Bill No. 0001 -- Criminal Offenses -- Judiciary Committee.**

**House Bill No. 0002 -- Bond Issues -- Conservation and Environment Committee.**

**\*House Bill No. 0004 -- Annexation -- State and Local Government Committee.**

**\*House Bill No. 0005 -- Annexation -- State and Local Government Committee.**

**House Bill No. 0006 -- Statutes -- Judiciary Committee.**

**\*House Bill No. 0007 -- Criminal Offenses -- Judiciary Committee.**

**\*House Bill No. 0008 -- Birth Control -- Health and Human Resources Committee.**

**\*House Bill No. 0009 -- Historical Commission -- Conservation and Environment Committee.**

**\*House Bill No. 0010 -- Highways, Roads and Bridges -- Transportation Committee.**

**\*House Bill No. 0011 -- Hotels and Restaurants -- Health and Human Resources Committee.**

**\*House Bill No. 0012 -- Museums -- State and Local Government Committee.**

**\*House Bill No. 0013 -- Drainage, Levee Districts -- State and Local Government Committee.**

**\*House Bill No. 0014 -- Banks and Financial Institutions -- Commerce Committee.**

**\*House Bill No. 0015 -- Judges and Chancellors -- Judiciary Committee.**

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**\*House Bill No. 0016 -- Taxes, Sales -- Finance, Ways and Means Committee.**

**House Bill No. 0017 -- Sentencing -- Judiciary Committee.**

**\*House Bill No. 0018 -- Education -- Education Committee.**

**ENGROSSED BILLS  
January 14, 1993**

The following bills listed have been examined, engrossed and are ready for the transmission to the Senate: House Joint Resolution(s) No(s). 9 and 10.

**BETTY KAY FRANCIS, Chief Engrossing Clerk.**

**MESSAGE FROM THE SENATE  
January 14, 1993**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution(s) No(s). 9 and 10; concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**ENGROSSED BILLS  
January 14, 1993**

The following bills listed have been examined, engrossed and are ready for the transmission to the Senate: House Joint Resolution(s) No(s). 5, 7 and 8; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS, Chief Engrossing Clerk.**

**MESSAGE FROM THE SENATE  
January 14, 1993**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution(s) No(s). 7 and 8; concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR., Chief Clerk.**

**ENROLLED BILLS  
JANUARY 14, 1993**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 3, 7, 8, 9, and 10.

**BETTY KAY FRANCIS, Chief Engrossing Clerk.**

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**SIGNED  
JANUARY 14, 1993**

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 3, 7, 8, 9 and 10.

**SIGNED  
JANUARY 14, 1993**

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 9.

**MESSAGE FROM THE SENATE  
JANUARY 14, 1993**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 3, 7, 8, 9 and 10; all signed by the Speaker.

CLYDE W. McCULLOUGH, Jr., Chief Clerk.

**MESSAGE FROM THE SENATE  
JANUARY 14, 1993**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 5, 20 and 22; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, Jr., Chief Clerk.

**SIGNED  
JANUARY 14, 1993**

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 5, 20 and 22.

**REPORT OF CHIEF ENGROSSING CLERK  
JANUARY 14, 1993**

The following bills have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 3, 7, 8, 9 and 10.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 97

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Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Fowlkes, Garrett, Givens, Gunnels, Haley, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Johnson, Jones, U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

Pursuant to House Joint Resolution No. 3, Rep. Purcell moved that the House recess until 5:00 p.m., Monday, February 1, 1993, which motion prevailed.